

R277-408 WAS APPROVED BY THE UTAH STATE BOARD OF EDUCATION ON JUNE 1, 2012. THE NEW RULE IS PUBLISHED IN THE JULY 1, 2012 UTAH STATE BULLETIN, SUBJECT TO A 30-DAY COMMENT PERIOD, WITH A FIRST POSSIBLE EFFECTIVE DATE OF AUGUST 7, 2012.

**R277. Education, Administration.**

**R277-408. Grants for Online Testing.**

**R277-408-1. Definitions.**

A. "Board" means the Utah State Board of Education.

B "LEA" means a local education agency, including local school boards/public school districts, and charter schools.

C. "U-PASS testing requirements" as defined in Section 53A-1-602, include Criterion-Referenced tests (CRT) or Adaptive tests, Board-designated 10th grade test, and Direct Writing Assessment (DWA).

D. "USOE" means the Utah State Office of Education.

E. "Utah's core standards" means a statement of what students enrolled in public schools are expected to know and be able to do at specific grade levels or following completion of identified courses.

**R277-408-2. Authority and Purpose.**

A. This rule is authorized by Utah Constitution Article X, Section 3 which vests general control and supervision of public education in the Board, Section 53A-1-708(4) which directs the Board to make rules establishing procedures for grant applications and awards that satisfy the minimum requirements of Section 53A-1-708(4), and Section 53A-1-401(3) which permits the Board to adopt rules in accordance with its responsibilities.

B. The purpose of the rule is to provide for grants to LEAs to implement uniform online testing required under U-PASS testing requirements, including meeting technology standards established by the Board aligned with Utah's core standards, and provide local matching funds.

**R277-408-3. Applications for Funding.**

A. The USOE shall provide applications for LEAs to apply for available online testing grant funds before May 15 annually.

B. LEAs may submit applications for funds for online delivery of required U-PASS tests.

C. Grant applications shall provide the following:

(1) names of participating schools within the LEA;

(2) U-PASS assessments that shall be provided within and by the LEA;

(3) U-PASS assessments that shall be provided online;

(4) a budget for use of grant funds;

(5) an assurance from the applicant that online testing shall be implemented at 100 percent of students and assessments as required under Section 53A-1-708(4);

(6) an assurance that the LEA shall meet the technology standards for online adaptive testing, as provided in R277-408-4;

(7) an assurance that personally identifiable student data shall only be released to appropriate entities consistent with the law and this rule;

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(8) participation in the online readiness tool as per USOE direction; and

(9) the amount and source of the matching funds that shall be used by the LEA to satisfy the requirements of Section 53A-1-708(4)(f).

D. Applications shall be submitted for funding to the USOE before June 15 annually.

#### **R277-408-4. Online Adaptive Testing Technology Standards.**

A. The USOE shall provide online adaptive testing technology standards to LEAs before January 15, 2013.

B. Technology standards shall include:

(1) minimum hardware requirements;

(2) minimum bandwidth requirements; and

(3) minimum operating system and software requirements.

#### **R277-408-5 Appropriate Use of Funds.**

Online grant funds may be used for the following:

A. computer equipment and peripherals, including electronic data capture devices designed for electronic test administration and scoring;

B. software;

C. networking equipment;

D. upgrades of existing equipment or software;

E. upgrades of existing physical plant facilities; and

F. personnel to provide technical support, coordination, management, and teacher professional development (combined expenditure for personnel shall not exceed 10 percent of the grant funds allocated to an LEA).

#### **R277-408-6. Distribution of Funds.**

A. The USOE shall notify successful grant applicants before July 1, 2012.

B. The USOE shall notify successful grant applicants of the base and per pupil funds that LEAs shall receive, based on required and complete information submitted in grant applications, before July 15, 2012.

C. If LEAs that received notice of funding choose not to participate in the grant award or otherwise fail to meet eligibility requirements for funds under Section 53A-1-708 or this rule, the funds designated for those LEAs shall be distributed to other eligible LEAs after August 15, 2012.

**KEY: online testing, grants**

**Date of Enactment or Last Substantive Amendment: 2012**

**Authorizing, and Implemented or Interpreted Law: Art X, Sec 3; 53A-1-708(4); 53A-1-401(3)**